



Light Up Louisville

40 Nights of Lights 2012

*Downtown Louisville ~ Friday, November 23, 2-10pm,
New Location; 4th Street corridor between Jefferson & Main*

FOOD VENDOR APPLICATION

Company/Organization Name: _____

Contact Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Cell: (Required) _____

Fax: _____ Email: (Required) _____

Please provide the name and telephone number of one reference.

Name: _____ Phone: _____

Revenue Commission #: (Required)* _____

FOOD VENDORS \$225 per 10x10, booth space - (Non-refundable upon acceptance into the event)

- All Booths should be decorated in Holiday Style
- Bring your own clip lights, extension cords - it does get dark early & Light Up will not provide these items
- Copy this form as needed to submit multiple booth locations

LOCATION RENTAL INCLUDES (if needed):

- 1 - 10x10 tented space or trailer location
- 2 - 8' tables
- 2 - Chairs
- 1 - Sign with vendor's name

Single Booth Space _____ **Double Booth Space** _____

Do you need electricity? Yes _____ No _____

You must supply 100' of 14 gauge outdoor extension cord, other cords as needed for booth, 3-way plugs, clip lights, etc...

List all power needs: (Be sure to specify voltage, number of amps, phase, etc.) _____

Please give a full description of the crafts you plan to offer (attach separate page if needed). Only those items detailed below will be permitted in your booth.

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***Payment cannot be accepted for incomplete applications. All Vendors must be registered with the Louisville Revenue Commission and in good standing upon payment for this event.**

Payment Options: CHECK, Visa or Master Card, Money Order, Cashier's Check

I have read and understand the rules and regulations listed above and agree to abide by LUL rules as listed in this document. If application is approved, (vendor name below)

_____ agrees to participate in LUL 2012 and to be responsible for all booth fees and additional incurred expenses.

Signature _____ Print Name _____ Date _____

HOLD HARMLESS CLAUSE:

The Vendor shall indemnify, hold harmless, and defend the Louisville/Jefferson County Metro Government, its elected and appointed officials, employees, agents and successors in interest from all claims, damages, losses and expenses including attorneys' fees, arising out of or resulting, directly or indirectly, from the vendor's participation in the 2012 Light Up Louisville.

Signature _____ Date _____

Please send application, menu, payment and certificate of insurance to:
PLEASE MAKE CHECK PAYABLE TO LOUISVILLE METRO GOVERNMENT

2012 LUL
Mayor's Office of Special Events
Louisville Metro Hall
527 W. Jefferson, Ste. 606
Louisville, KY 40202
(502) 574-5316 (502) 574-5998 (fax)
www.louisvilleky.com

If you do not receive an acknowledgement within two weeks of sending in your application, please contact
kara.mackey@louisvilleky.gov or call (502) 574-5316.

Rules and Regulations

All FOOD vendors must have a certificate of insurance with \$1,000,000 minimum general liability naming Louisville Metro Government as additional insured AND 2,000,000.00 aggregate liability.

All vendors must be registered and in good standing with the Louisville Revenue Commission. Form attached. The Kentucky Department of Revenue Services imposes a 6% sales tax on all retail sales made within the Commonwealth. If you are selling food or merchandise during the festival, a Tax Remittance Form will be given to you on the day of event. Vendors must bring their own clip lights to illuminate their booth during evening hours. These can be purchased at any local hardware store.

LUL continues rain or shine, so please keep yourself up to date on the predicted weather during the festival and bring appropriate weather related gear to the event.

LUL is not responsible for lost, stolen or damaged goods.

If approved, NO REFUNDS will be given for submitted applications.

Space assignments are made at the discretion of the event staff.

All food vendors must provide a Type K portable fire extinguisher. Booths without an extinguisher will be shut down until vendor is in compliance.

Roofing paper must be provided by all food vendors using appliances that produce grease and or any other bi-product. Vendors must remain open 2 p.m. – 10 p.m., **Food and Crafts**.

Frequently Asked Questions

Fire Code and Cooking Tents

Q) What constitutes “cooking”?

A) If you use a heat source to make food, the fire code may apply to you. Any use of propane burners of any type for any purpose, even just to heat water, is considered “cooking”. Solid fuel, such as wood or charcoal grilling/smoking, is also a type of cooking. Electrical devices such as grills or deep fryers are included.

Q) I sell food that is prepared off site, but use Sterno-type heaters to keep it warm. Is that cooking?

A) No, but you are still required to have a fire extinguisher.

Q) I cook food in my tent. What type of tent must I have?

A) Any tent used for cooking must have a certification describing the flame-resistance of the fabric. Consult with the supplier of the tent to obtain this certification. Examples of acceptable certifications include a label with NFPA 701 or California State Fire Marshal approvals. If the label is no longer present, then paper documentation is acceptable. If the supplier is not able to provide the documentation, the tent/canopy is probably not approved for cooking.

Q) I cook in my tent. How far must it be from tents without any cooking?

A) 20 feet. This distance, in addition to the flame resistant fabric, provides a buffer so that flame will not spread from one tent to another in a long row of adjacent tents.

Q) I use propane cylinders. What rules apply?

A) *All fittings must be tight and leak-free!* This means that you have personally checked each fitting by spraying it with soapy water and ensuring that there are no leaks.

All cylinders must be secured from damage. This means they must be chained or tied *securely* to a fixed object where the employees and the public won’t bump into them, knocking them over or damaging the hoses and regulators.

The cylinders must be placed so they are not exposed to excessive heat. For instance, don’t chain the cylinder to the deep fryer or grill.

Q) Do I need a fire extinguisher?

A) YES! All tents *with possible ignition sources* must have a fire extinguisher. Fire extinguishers come in many different sizes and types. The most common is the ABC rated fire extinguisher. All extinguishers have a UL rating label on them. Read the label and look for the UL certification. It should say “2-A” or larger. A typical size is “2-A 20-BC” or “3-A 40-BC”

The extinguisher must be accessible for immediate use. Don’t bury it behind stored items or leave it inside the truck or trailer.

Q) What is the Type K extinguisher for?

A) If you have deep-fat frying, such as corn dogs or elephant ears, you must have a Type K *in addition* to the extinguisher mentioned above! Cooking operations with deep-fat cooking must have at least one ABC type AND at least one Type K.

Q) I don’t deep fry anything. What type of extinguisher do I need.

A) You need one of the ABC type extinguishers mentioned above. **You DO NOT NEED a Type K.**

Q) Anything else about the fire extinguishers?

A) Extinguishers used commercially must be serviced annually. Be prepared to prove your extinguisher is either new, or has been serviced within the past year.

Q) Are propane heaters allowed inside a tent?

A) **NO!** Propane cylinders and the heaters they supply are not allowed inside tents. Consult with the supplier and get the ductwork that goes with the heater. The heating equipment remains outside while the heated air is blown inside the tent by ductwork that goes on the ground, under the tent wall.

INSURANCE REQUIREMENTS

I. HOLD HARMLESS AND INDEMNIFICATION CLAUSE

The Contractor shall indemnify, hold harmless, and defend the Louisville/Jefferson County Metro Government, their elected and appointed officials, employees, agents and successors in interest from all claims, damages, losses and expenses including attorneys' fees, arising out of or resulting, directly or indirectly, from the Contractor's (or Contractor's Subcontractors, if any) performance or breach of the contract provided that such claim, damage, loss, or expense is: (1) attributable to personal injury, bodily injury, sickness, death, or to injury to or destruction of property, including the loss of use resulting therefrom, or breach of contract, and (2) not caused by the negligent act or omission or willful misconduct of the Louisville/Jefferson County Metro Government or its elected and appointed officials and employees acting within the scope of their employment. This Hold Harmless and Indemnification Clause shall in no way be limited by any financial responsibility or insurance requirements and shall survive the termination of this Contract.

II. INSURANCE REQUIREMENTS

Contractor shall obtain at its own cost and expense the following types of insurance through insurance companies licensed in the State of Kentucky. Insurance written by non-admitted carriers will also be considered acceptable, in accordance with Kentucky Insurance Law (KRS 304.10-040). Workers' Compensation written through qualified group self-insurance programs in accordance with Kentucky Revised Statutes (KRS 342.350) will also be acceptable. The Contractor shall not commence work under this Contract until all insurance required under the Contract Document has been obtained and until copies of policies or certificates thereof are submitted to the **Office of Management and Budget**, and approved by the Louisville/Jefferson County Metro Government's Risk Management Division unless a result of an Emergency Declaration by the Mayor. The Contractor shall not allow any subcontractor to commence work until the insurance required of such subcontractor has been obtained and copies of Certificates of Insurance retained by Contractor evidencing proof of coverage's.

Without limiting Contractor's indemnification requirements, it is agreed that Contractor shall maintain in force at all times during the performance of this agreement the following policy or policies of insurance covering its operations, and require subcontractors, if subcontracting is authorized, to procure and maintain these same policies until final acceptance of the work by the Louisville/Jefferson County Metro Government (Metro). Metro may require Contractor to supply proof of subcontractor's insurance via Certificates of Insurance, or at Metro's option, actual copies of policies.

A. The following clause shall be added to the Contractor's (and approved subcontractors) Commercial General Liability Policies:

1. "The Louisville/Jefferson County Metro Government, its elected and appointed officials, employees, agents and successors are added as an "Additional Insured" as respects operations of the Named Insured performed relative to the work performed"

B. The insurance to be procured and maintained and **minimum** Limits of Liability shall be as follows, unless different limits are specified by addendum to the contract:

1. COMMERCIAL GENERAL LIABILITY, via the Occurrence Form, with a **\$1,000,000** Combined Single Limit for any one Occurrence and **\$2,000,000** aggregate for Bodily Injury, Personal Injury and Property Damage, including:

- a. Premises - Operations Coverage
- b. Products and Completed Operations
- c. Contractual Liability
- d. Broad Form Property Damage
- e. Independent Contractors Protective Liability
- f. Personal Injury

2. AUTOMOBILE LIABILITY, insuring all Owned, Non-Owned and Hired Motor Vehicles. The minimum coverage Liability Limit is **\$1,000,000** Combined Single Limit for any one accident. The Limit of Liability may be subject to increase according to any applicable State or Federal Transportation Regulations.

3. WORKERS' COMPENSATION (if applicable) insuring the employers' obligations under Kentucky Revised Statutes Chapter 342 at Statutory Limits, and **EMPLOYERS' LIABILITY** - **\$100,000** Each Accident/**\$500,000** Disease - Policy Limit/**\$100,000** Disease - Each Employee.

III. ACCEPTABILITY OF INSURERS

Insurance is to be placed with Insurance Companies with an A. M. Best Rating of no less than "B+ VI", unless proper financial information relating to the Company is submitted to and approved by Metro's Risk Management Division.

IV. MISCELLANEOUS

A. The Contractor shall procure and maintain insurance policies as described herein and for which the **Office of Management and Budget** shall be furnished Certificates of Insurance upon the execution of the Contract. The Certificates shall include the name and address of the person executing the Certificate of Insurance as well as the person's signature. If policies expire before the completion of the Contract, renewal Certificates of Insurance shall be furnished to Metro at least 15 days prior to the expiration of any policy(s).

B. Certificates of Insurance as required above shall be furnished to:

Louisville/Jefferson County Metro Government
Office of Management and Budget
Risk Management Division
611 West Jefferson Street
Louisville, Kentucky 40202

C. CANCELLATION OR MATERIAL CHANGE OF COVERAGE: Contractor shall notify Metro's Risk Management Division of any policy cancellation within two business days of its receipt of same. Upon any material change (changes that reduce/restrict limit or terms and conditions to your insurance coverage) in coverage as required above, Contractor shall notify Metro's Risk Management Division within two business days. If Contractor fails to notify Metro as required by this Agreement, Contractor agrees that such failure shall be a breach of this Agreement. Metro reserves the right to require the insurance policy(s) required above to be specifically endorsed to provide notice of cancellation and/or material change of coverage in accordance with policy provisions. When requested by the Metro Government, a copy of the policy endorsement shall be provided to Metro's Risk Management Division.

D. Approval of the insurance by Metro shall not in any way relieve or decrease the liability of the Contractor hereunder. It is expressly understood that Metro does not in any way represent that the specified Limits of Liability or coverage or policy forms are sufficient or adequate to protect the interest or liabilities of the Contractor.

Light Up Louisville

Downtown Louisville ~ Friday, November 23, 2012

Fact Sheet

Event Hours / Location

Light Up Louisville will be open 2 - 10 p.m. Participants are required to stay open the entire event. Your booth or space will be clearly marked upon arrival.

Set-up

Vendor setup begins at 10 a.m., Friday, November 23, 2012. Tear down may begin no sooner than 10 p.m. Booth must be ready and product available by 1:30 p.m. Vehicles are allowed in the event area to UNLOAD and LOAD only during non-event hours.

Parking

Vendor parking pass must be displayed in order to enter the parking area and to avoid being towed. Booth fee includes two complimentary parking spots in the City Lot. TBD

Insurance

Food vendors must have a current certificate of insurance with \$1,000,000 minimum general liability naming Louisville Metro Government as additional insured. Additionally, all food vendors must obtain a Health Permit and notify the Special Event's Office with the permit number.

Craft and other participants are not required to provide proof of insurance.

Additional Information

All food vendors must have a working fire extinguisher in their booth. If you are using a grill, open flame, deep fryer or product that produces grease (i.e. hamburgers, sausages, etc.) you must have a Type K fire extinguisher in your booth. You must supply 150' of hose and water "Ys" as well as 100' of 14 gauge outdoor extension cords.

Please return completed application, payment in full and proof of insurance (food vendors only) by **Monday, November 5, 2012**. *Application does not guarantee participation.* In order to ensure our vendors have a successful event, vendor applications are juried and will be submitted to the Light Up Louisville Committee for approval. Accepted participants will be notified. If your application is not approved, a refund will be issued. *(Additional information and parking passes will be mailed to you.)*

Please submit application to: Mayor's Office
Special Events
527 W. Jefferson Street
Louisville, KY 40202

If you have any questions, please feel free to call (502) 574-5316
or email Kara.Mackey@louisvilleky.gov.